

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

JOHN RASH

PLAINTIFF

V.

CIVIL ACTION NO. 3:20-cv-224-NBB-RP

LAFAYETTE COUNTY, MISSISSIPPI

DEFENDANT

**ORDER DENYING MOTION TO STRIKE**

This cause comes before the court upon defendant's motion to strike plaintiff's exhibits 45 through 48 from plaintiff's response to defendant's motion for summary judgment.

Defendant seeks to strike these exhibits – four articles published in the local and national press – on the basis that plaintiff did not produce copies to defendant during discovery.

The court finds that the motion to strike should be denied at this time. The articles at issue were, and are, available in the public domain to both parties. *See, e.g., Landrum v. Banana Wheels, Inc. of Houston*, 1990 WL 163635, at \*2 (E.D. La. Oct. 18, 1990) (denying motion to compel discovery that is “part of the public record and is equally accessible to the [movant]”); *Bass v. Gulf Oil Corp.*, 304 F. Supp. 1041, 1050 (S.D. Miss. 1969) (denying motion for production of documents readily available to the movants as public records).

The defendants may object to admission of the contested documents at the bench trial on grounds such as relevancy or hearsay, but the court finds that the defendant's motion to strike should be, and the same is hereby, **DENIED** at this time.

This 31st day of March, 2022.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.

UNITED STATES DISTRICT JUDGE